

## REMARKS

### Claim objections

Claim 2 has been amended to insert the term “detecting” before device. Applicants respectfully submit that this change is purely pedantic in nature and does not affect the scope of the claim — and in particular does not constitute a narrowing amendment.

### Art rejections

The art rejections are respectfully traversed.

Since the references are complex, Applicants will confine their remarks to those portions of the references cited by the Examiner, except as otherwise indicated. Applicants make no representation as to the contents of other portions of the references.

Any of the Examiner’s rejections and/or points of argument that are not addressed below would appear to be moot in view of the following. Nevertheless, Applicants reserve the right to respond to those rejections and arguments and to advance additional arguments at a later date. No arguments are waived and none of the Examiner’s statements are conceded.

### Claim 2

This claim has been amended to put it in independent form. Applicants respectfully submit that this does not change the scope of the claim or constitute a narrowing amendment.

The Examiner states that Belliveau teaches detecting the temperature of a wall of the discharge vessel of the discharge lamp per the recitations of claim 2.

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Applicants respectfully disagree. Applicants respectfully submit that what Belliveau teaches at (66) (46) (Fig. 9) is detecting temperature of a point inside a housing, not of the wall of a discharge vessel. Applicants find no mention of any wall of any discharge vessel in Belliveau at least in the portions cited by the Examiner.

### Claim 3

This claim has been amended to put it in independent form. Applicants respectfully submit that this does not change the scope of the claim or constitute a narrowing amendment.

The Examiner asserts that the Belliveau reference teaches monitoring lamp current or lamp power per Applicants' claim 3. He cites Belliveau (46, 124, Fig.s 11, 12, Col. 11, lines 6-24; col. 12, lines 1-35) for this proposition. Applicants have read these portions of Belliveau and are just not finding this teaching at all. Applicants see monitoring of temperature, parameter commands involving orientation, light makeup, and orientation; but no monitoring of lamp power or current. Applicants see merely controlling lamp power or current. Applicants therefore suspect that the Examiner is misconstruing the reference. Clarification of this rejection is accordingly respectfully requested.

### Claim 4

This claim has been amended to put it in independent form. Applicants respectfully submit that this does not change the scope of the claim or constitute a narrowing amendment.

Claim 4 recites that the range of the operating parameter is rated so that the mechanical stresses in the wall of the discharge vessel are reduced. Applicants have reviewed the portions of

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the Belliveau reference that the Examiner cites for this proposition. Again Applicants are not finding any teaching or suggestion of anything having to do with any wall of any discharge vessel of a lamp. Applicants are not even finding any teaching or suggestion of the type of the lamp to be found at 17, 46, or 124. Belliveau just says "lamp." How does the Examiner know that these are discharge lamps? Where does the Examiner see anything about any wall of a discharge vessel in such a lamp? Applicants suspect that the Examiner may be misreading the reference. Clarification is respectfully requested.

### Claim 6

This claim has been amended to put it in independent form. Applicants respectfully submit that this does not change the scope of the claim or constitute a narrowing amendment.

This claim recites a sensor, which detects the power of the cooling device in the form of velocity, pressure, or volume of a gas stream.

The Examiner purports to find this limitation in Parker at 22. Applicants respectfully submit that the Examiner has misconstrued the reference. Applicants understand the reference as follows. Element 20 is a lamp sensing and blower control unit. Element 22 is its output. This line, 22, does not appear to sense the velocity, volume or pressure of a gas. It appears to be merely a control line. Applicants do not see that it could be any kind of sensor. Applicants accordingly respectfully submit that the Examiner has not made a *prima facie* case against claim 6.

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### Claim 7

This claim has been amended to put it in independent form. Applicants respectfully submit that this change does not change the scope of the claim or constitute a narrowing amendment.

Claim 7 recites, *inter alia*, a switching schedule by which the lamp driver and/or the cooling device can be controlled. The Examiner purports to find this limitation in the figures of Belliveau. Applicants respectfully submit that the Examiner misconstrues the reference. Applicants understand the reference to teach at col. 14, lines 46 to 50, that lamp power is varied in accordance with orientation of the housing. Applicants do not find any teaching or suggestion of any switching schedule.

### Claim 8

This claim modifies claim 7 and recites that the switching schedule can be activated by an off switch and that the lamp driver and the cooling device are adjusted down alternately and/or stepwise.

The Examiner purports to find this limitation in Belliveau at figures 7-12 and col. 14, lines 4-42. As indicated before, Applicants are not finding this. Instead, Applicants have found that control is in accordance with orientation of the lamp, not in accordance with either a switching schedule or switching-off the lamp. Applicants are not finding any stepwise control of either the lamp driver or the cooling device. The stepping involved appears to be a stepper motor controlling lamp position. Applicants find no teaching or suggestion that there is alternating control between the lamp driver and the cooling device. It should be noted herein that lamp

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driver is clearly defined in Applicants' specification to relate to power and/or current and not to position. Applicants accordingly respectfully submit that the Examiner is misconstruing the reference and has failed to make a *prime facie* case against this claim.

### New claims

The new claims recite additional patentable distinctions over the references. *Inter alia*, they recite coordinating control of the lamp driver and cooling device, which is not taught or suggested in the references.

## INFORMATION DISCLOSURE

The Examiner has stated in a telephone message to the undersigned that he did not make the two German patent documents submitted with the IDS of record because no translation was submitted. Applicants respectfully submit that this was improper. Applicants are only required to submit a translation if one is already available per 1.98 (a)(3)(ii).

However, Applicants have discovered that the two German documents cited in the IDS have US counterparts. The US counterpart of DE3019669 is US4283658, which is already of record.

The US counterpart of DE1764728<sup>1</sup> It is US3470415. A new PTO/SB/08A form is attached so that the latter US counterpart may be made of record. Applicants do not believe that a fee should be charged for this information disclosure at this time, because the prior refusal to enter the

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<sup>1</sup> It is not clear to the undersigned why this document was listed as "DT" rather than "DE" on the PTO/SB/08A form. The correct number appears on the copy of the document submitted to the USPTO and it is clear that it is a German patent document on its face.

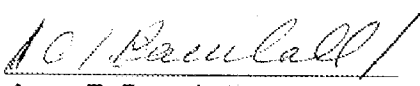
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information was improper; however should a fee be required it may be charged as indicated below.

*Please charge any fees other than the issue fee to deposit account 14-1270. Please credit any overpayments to the same account.*

Applicants respectfully submit that they have addressed each issue raised by the Examiner — except for any that were skipped as moot — and that the application is accordingly in condition for allowance. Allowance is therefore respectfully requested.

Respectfully submitted,

By   
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